

LISTING OF THE CLAIMS

Claims 1–16. (Canceled)

17. (Withdrawn, Previously presented) Implant plate according to claim 29, wherein a thickness of material of the implant plate including the head-end portion and the shaft-end portion is substantially uniform, wherein the head-end portion of the implant plate is widened to be of spoon-shape, and the shaft-end portion is designed to be comparatively narrower, and wherein all receiving members for the flexible fastening member are spaced along an outer edge or contour of the head-end portion.

18. (Withdrawn, Previously presented) Implant plate according to claim 29, wherein the receiving members are made from strip material by at least one of laser-treatment, punching, cutting, deep drawing, bending and edge-rolling, and wherein the apertures are made by at least one of drilling, punching, laser-treatment, deep drawing, or bending and edge-rolling.

19. (Withdrawn, Previously presented) Implant plate according to claim 29, wherein the receiving members consist of externally prefabricated ridges with drill holes, tubular receiving members, or round hooks, with or without a base, and wherein the receiving members are welded, pressure-welded, soldered, screwed, or riveted onto predetermined locating positions close to an edge of the strip material.

20. (Canceled).

21. (Withdrawn, Previously presented) Implant plate according to claim 29, wherein the head-end portion of the implant plate has a blade disposed along an extension of a longitudinal axis, the blade having a sharp edge at one end.

22. (Withdrawn) Implant plate according to claim 21, wherein the blade has at least one drill hole having at least one screw thread into which upper-arm head-screws extending from the head-end portion of the implant plate may be screwed.

Claims 23–28. (Canceled)

29. (Currently amended) [Implant] An implant plate for stabilizing a fracture ~~of at least one of an upper arm head or a proximal upper arm~~, comprising:

a plate member having an edge defining a head-end portion shaped to bear against a surface of an upper arm head a bone and a shaft-end portion shaped to bear against a surface of a proximal upper arm bone, the shaft-end portion being narrower along a lateral direction than the head-end portion, and the plate member having a bone facing surface to bear against the bone and an opposing side surface facing away from the bone;

a plurality of holes for bone screws on each of the head-end portion and the shaft-end portion ~~plate member~~ for fixing the plate member to the bone surfaces; and

at least one receiving member ~~for flexible cerclage wires or suture material wound around fractured bone parts,~~ protruding from the side surface, located at the head-end portion and proximate to the edge, each member defining a substantially circular and circumferentially enclosed aperture through which flexible members may be passed through allowing a passage and tightened ~~tightening of the wire cerclage or suture material~~ after the plate number has been secured to the bone surfaces [[:]]

~~wherein the plate member is a one piece plate cut or punched from a flat metallic strip material having a substantially uniform thickness of 0.5 to 6.5 mm to have plate edges defining a head-end portion and a shaft-end portion adjacent to the head-end portion along a longitudinal direction, with the shaft-end portion being narrower~~

~~along a lateral direction than the head-end portion, and bent to have a slight curvature to form a longitudinal channel, and to allow a bone-facing surface of the head-end portion and a bone-facing surface of the shaft-end portion to bear against the outer surfaces of the upper arm head bone and the proximal upper arm bone;~~

~~wherein the holes for bone screws are located on the head-end portion and the shaft-end portion;~~

~~wherein the at least one wire cerclage or suture material receiving member is disposed on a head-end portion surface which is opposite to the head-end portion bone-facing surface and faces away from the bone, and disposed proximate to an edge of the head-end portion surface facing away from the bone; and~~

~~wherein the at least one receiving member comprises a tube, an eyelet, a round hood, or a hole, each defining a substantially circular and circumferentially enclosed aperture through which wire cerclage or suture material may be inserted, threaded, or passed, the aperture having a central aperture axis disposed to extend substantially parallel to the head-end portion surface facing away from the bone, and to the edge of the head-end portion surface to which the receiving member is closest.~~

30. (Currently amended) The implant ~~Implate~~ plate according to claim 29, wherein the thickness of material of the plate member is 0.8 to 3.5 mm.

31. (Currently amended) The implant ~~Implate~~ plate according to claim 29, wherein the plate member is of implant steel, titanium, or a titanium alloy.

32. (New) The implant plate according to claim 29, wherein the plate member has a slight curvature to the head-end portion and the shaft-end portion to bear against the outer surfaces of the bone.

33. (New) The implant plate according to claim 29, wherein the plate member has a substantially uniform thickness of 0.5 to 6.5 mm.

34. (New) The implant plate according to claim 29, wherein the at least one receiving member comprises a plurality of discrete receiving members each protruding from the side surface and located at the head-end portion, proximate to the edge.